



**MAIL STOP AF
RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE**

PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

Application No.: 10/524,189 Group Art Unit: 1615
Filing Date: September 15, 2005 Examiner: Aradhana Sasan
Applicant: Dirk Andre Richard VANDEN BERGHE
Title: METHOD FOR THE PREPARATION OF A SILICIC
ACID COMPRISING EXTRUDATE, SAID
EXTRUDATE, ITS USE AND A PHARMACEUTICAL
COMPOSITION COMPRISING THE SAID
EXTRUDATE

Attorney Docket: 15645-000001/US

**NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop AF

May 7, 2010

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated November 10, 2010 of the Primary Examiner finally rejecting claims 1-11 and 15-17.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ The enclosed document is concurrently filed with a Pre-Appeal Brief Request for Review.

Applicants hereby petition for an extension of **three (3) month(s)** pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

05/10/2010 JADD01 00000003 10524189

02 FC:1401

540.00 0P

The fee has been calculated as shown below:

- ☒ NO extensions of time have been previously obtained for responding to the

Final Rejection. Thus a fee of \$1110.00 is required for the full period of the above-requested extension of time.

- ☐ An extension of _____ (_____) **month(s)** for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$ _____ is required.
- ☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- ☒ Large entity - \$540.00
- ☐ Small Entity - \$270.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1650.00.

Payment of the above TOTAL FEE is being made in the following manner:

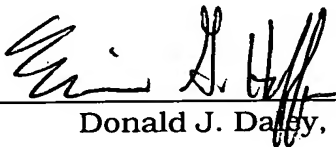
- ☒ Check in the amount of \$1650.00 is enclosed.
- ☐ Please charge Deposit Account No. 08-0750 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

 Reg. No. 57752
Donald J. Daisy, Reg. No. 34,313

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD/EGH:ljjs

889809.1